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The situation in the Middle East

Measures to eliminate international terrorism

Identical letters dated 8 October 2003 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General and the President of the Security Council

I am writing following the most recent horrific Palestinian terrorist attack perpetrated against the citizens of Israel.

On Saturday, 4 October 2003, at approximately 2.20 p.m. (local time), on the eve of Yom Kippur, the holiest day of the Jewish calendar, a Palestinian suicide bomber from the West Bank town of Jenin perpetrated a massacre in a crowded beachfront restaurant in the port city of Haifa in northern Israel. The powerful explosion ripped through the restaurant, killing 19 civilians including three children and a baby girl, and wounding 60 others, dozens seriously. Entire families, from grandparents to grandchildren, were wiped out in the attack, including five members of the Almog family from Haifa, and five members of the Zer-Aviv family from Kibbutz Yagur.

Maxim, the restaurant where the attack was perpetrated, is owned by Israeli Arabs and frequented by both Jewish and Arab patrons, one of many examples of Jewish-Arab coexistence in a city where both populations live and work together peacefully. In the attack at Maxim, four Israeli Arabs were murdered alongside fifteen of their Jewish compatriots, demonstrating vividly that Palestinian terrorism is the enemy of all peace-loving people in our region.

The terrorist organization that calls itself the Palestinian Islamic Jihad claimed responsibility for the massacre. This terrorist organization is headquartered in Damascus, and operates freely from Palestinian Authority territory. This attack is the latest in a series of terrorist atrocities committed by the Islamic Jihad in the past few years. Among the attacks perpetrated by this organization are the massacre of 21 teenagers at a discotheque in Tel-Aviv on 2 June 2001; the bombing of 5 June 2002 at the Meggido Junction, which killed 18 Israelis; the bombing of a commuter bus on 21 October 2002, which killed 14 citizens; the attack on a shopping mall in

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the Israeli town of Afula on 19 May 2003, in which 3 civilians were killed and over 70 wounded; and the attack on 30 March 2003, in which a suicide bomber detonated his explosives at a cafe in Netanya wounding 58 civilians.

Like other terrorist organizations that operate in the West Bank and Gaza Strip, the Islamic Jihad enjoys the support and backing of countries in the region, foremost among them, the regimes of Syria and Iran. Both countries, state-sponsors of terrorism, have systematically and deliberately worked to undermine progress towards peace and stability in our region by providing safe harbour, training facilities, funding and logistical support to a variety of notorious terrorist organizations. Each and every one of these acts constitutes a grave violation of international law and Security Council resolutions, in particular resolution 1373 (2001), which was adopted under Chapter 7 of the Charter.

Evidence of this wholesale state-support for terrorism is a matter of public knowledge. For example, it is a well-known fact that the Secretary-General of the Islamic Jihad, Ramadan Abdallah Shallah, is one of several terrorist leaders who operate freely in Damascus and receive immunity and support from the Assad regime. On a number of occasions, Mr. Shallah is known to have transferred funds amounting to hundreds of thousands of dollars from Damascus to the individual accounts of Islamic Jihad operatives, such as Bassam al-Saadi, who is responsible for financing the Islamic Jihad branch in Jenin, which carried out Friday's attack in Haifa.

This Syrian support for the deliberate murder of innocent civilians is also evidenced, inter alia, by the presence of training facilities for terrorist groups such as the Islamic Jihad, the Hamas and the Hizbollah, located on Syrian territory and in Syrian-occupied Lebanon. One such facility, Ein Sahab, located near Damascus, has trained Islamic Jihad and other operatives in the perpetration of terrorist attacks. These operatives were later dispatched to Palestinian Authority territories and other areas from which they planned and committed terrorist acts. The Ein Sahab terrorist facility was targeted in Israel's recent measured defensive response to the Haifa massacre, in accordance with Article 51 of the Charter. This action comes to prevent further armed attacks against Israeli civilians and after Israel exercised tremendous restraint despite countless acts of terrorism that Syria has supported, facilitated and financed. It also comes after Israel and the international community, as a whole, has called repeatedly on Syria to end its support of terror and embark on the path of peaceful dialogue, as it is legally required to do. It is regrettable that the Security Council found it necessary to convene a debate on this counter-terrorism measure, while the Council has failed to convene, in order to address and condemn, the deliberate murder of Israeli citizens — including the massacre of 19 innocent civilians in the homicide attack in Haifa.

Israel, like any sovereign state, possesses the inherent right and shoulders the fundamental obligation to defend its citizens against such attacks, no matter where they originate. There should be no double standard in this regard. Israel's recent action against terrorist facilities in Syria is no different than the forcible measures recently taken by other States against terrorist groups and their state sponsors, with the support of the international community.

The security of the State of Israel will not be determined by state sponsors of terror or a Palestinian leadership resistant to peace. Similarly, the peace process

must not be hijacked by terrorist organizations and their state sponsors, determined to deny moderates the opportunity to negotiate a peaceful settlement.

Israel remains committed to peace and willing to work together with any leadership in the region that is ready to reject terrorism and achieve a negotiated settlement. Israel will seize every opening and opportunity to reach an agreement with our neighbors. Unfortunately, Israel has learned from the past that no peace plan can survive while terrorist organizations maintain their capacity to kill and maim. To revive the peace process and to give the road map a chance to succeed, the Palestinian side must fulfill its obligations to end the morally abhorrent strategy of terrorism. The Palestinian leadership and rogue regimes that sponsor terrorism must understand that the international community will not tolerate the continuing failure to meet counter-terrorism obligations, and will never countenance the establishment of a Palestinian state built upon a foundation of terrorism and a rejection of the rights of others to live in peace and security in the region.

Israel calls upon the international community to reaffirm its absolute rejection of terrorism, to accept nothing less than the complete dismantling of terrorist organizations, and to use its authority to compel all regimes that sponsor terrorism in the region to fulfill their responsibilities in accordance with international law and Security Council resolutions, in particular resolution 1373 (2001).

I submit the present letter in follow-up to numerous letters detailing the campaign of Palestinian terrorism that began in September 2000, which document the criminal terrorist activity for which the terrorists and their supporters must be held fully accountable.

I should be grateful if you would arrange to have the text of the present letter circulated as a document of the fifty-eighth session of the General Assembly, under agenda items 156 and 37, of the Security Council.

(*Signed*) Dan **Gillerman**
Permanent Representative

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Identical letters dated 9 October 2003 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General and the President of the Security Council

I wish to draw your attention to the latest violations of the Blue Line from Lebanese territory that have gravely endangered the security of civilian life along Israel's northern border, and threatened international peace and security.

On the evening of Monday, 6 October 2003, Hizbollah terrorists perpetrated a fatal sniper shooting from Lebanon across the Blue Line, killing an IDF soldier near the Israeli town of Metulla. The victim, David Solomonov, age 21, was on routine patrol when terrorists opened heavy fire, without provocation, at his position.

In a separate incident later on Monday night, Hizbollah terrorists fired missiles, rockets and small arms at positions on the Israeli side of the Blue Line in the eastern sector. The unprovoked cross-border attack lasted into the early morning hours of Tuesday, 7 October. Dozens of salvos and shells landed in the vicinity of residential villages. Five mortar shells also landed west of the Israeli town of Kiryat Shmona.

The inaction and complicity of the Government of Lebanon, and regimes such as Syria and Iran, have enabled the terrorist organization Hizbollah to move and operate freely in the area of South Lebanon and launch such willful attacks against Israel. Monday's attack is only the most recent in a series of unprovoked cross-border attacks perpetrated by Hizbollah. Since Israel's complete withdrawal from Lebanon in May 2000, in full and confirmed compliance with Security Council resolution 425 (1978), these attacks have aimed to terrorize civilian populations in northern Israel, and provoke an escalation of hostilities along the Blue Line. Since Israeli withdrawal, Hizbollah terrorists have killed 15 Israeli citizens and wounded 60 others in over 100 separate incidents of anti-aircraft fire, and more than 60 separate incidents involving katyusha rockets, mortar shells, anti-tank missiles and small arms fire.

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Hizbollah, a vicious terrorist network that supports exporting suicide terrorism against Western targets, has demonstrated only unlawful violence and wanton disregard for innocent life in the region. Monday's incident follows a virulent statement delivered by the leader of Hizbollah, Hassan Nasrallah, at the UNESCO Palace in Beirut on 17 September 2003, in which he called on all States to participate in the fight against Israel by "hitting the Israelis internally". Nasrallah added that the path of resistance is the "correct and fruit-bearing path". The support and inaction of Lebanon in this regard is not only immoral, it is a direct and grave violation of Security Council resolution 1373 (2001) and established principles of international law, which call upon all States to refrain from providing any support, whether active or passive , to all persons or entities involved in terrorist acts, and to ensure that their territory is not used as a base for cross-border attacks.

The Government of Lebanon, in blatant disregard for the integrity of the Blue Line and the stability of the region, effectively relinquished control of South Lebanon to Hizbollah, in failing to deploy its forces in the area. Such inaction is in direct negation of its obligations under the norms of international law and the provisions of resolutions 425 (1978), 426 (1978), 1310 (2000), 1337 (2001) and 1373 (2001), which call for the restoration of international peace and security, the return of the effective authority and presence of the Government of Lebanon in the south, and the prevention of cross-border attacks from a State's territory. Lebanon, and its Government in Beirut, cannot be absolved of its legal obligations to fight terrorism, like any other State, as part of the global campaign against international terrorism.

The Government of Syria, which provides critical financial, logistical and political support to Hizbollah, and provides its leadership and operatives with safe harbour in Syrian territory and in Syrian-occupied Lebanon, also bears responsibility for violations and provocations committed by Hizbollah across the Blue Line, and for the continuing instability in the area. It is a well-known fact that Syria is the main power broker in Lebanon, exercising an overwhelming degree of both political and military control. H zbollah plays a key role in the Syrian order in Lebanon. Damascus has transformed Hizbollah into Lebanon's chief armed militia — a proxy strategic partner and front-line operational arm in exerting Syrian policy through terrorism in the area.

As such, Damascus has made concerted efforts to preserve the freedom, integrity, and capacity of Hizbollah, and other terrorist organizations, on Lebanese soil. Syria maintains numerous terrorist training facilities in Syrian army bases and in separate facilities, and provides extensive military assistance to Hizbollah by overland transfer of sophisticated arms from Iran through Syrian territory. Syria also maintains the role of state benefactor to regional and global terrorist organizations. Iran funnels and launders huge sums through the Syrian national banking system to terrorist groups with the Syrian Government's complicity. In contrast to recent statements by the Syrian Foreign Minister that suggest that Syria has contributed to the international war against terror, Syria's hold on terrorism is stronger than ever.

Despite the continued and flagrant violations of Security Council resolutions and international law by the Governments of Lebanon and Syria, and the ongoing and violent provocations directed at Israeli soldiers and civilians which emanate from Lebanese territory, Israel has exercised a great deal of restraint, while reserving its right to take steps to defend its citizens.

This week, Israel marked the third anniversary of the abduction of three Israeli soldiers kidnapped on 7 October 2000 by Hizbollah, while they patrolled the Israeli side of the Blue Line. The international community can no longer tolerate the failure of Lebanon to assume effective control over its territory in South Lebanon, and to prevent acts of terrorism in accordance with its obligations under international law and Security Council resolutions. Were Lebanon to assert its ability to prevent its territory from serving as a base for terrorist attacks, as is required of all States, tensions in the South Lebanon area and in the region would be immeasurably defused, rendering Israeli measures of self-defense unnecessary. It is also incumbent upon the international community to make clear to Syria and Iran that their ongoing participation in terrorism is an intolerable affront to international law and the peace and security of civilians everywhere.

The present letter is a follow-up to previous letters concerning the dangerous situation in South Lebanon caused by the illegal attacks perpetrated by Hizbollah across the Blue Line.

I should be grateful if you would arrange to have the text of the present letter circulated as an official document of the fifty-eighth session of the General Assembly, under agenda items 156 and 37, and of the Security Council.

(*Signed*) Ambassador Dan **Gillerman**
Permanent Representative